

110TH CONGRESS  
2D SESSION

# S. 3225

To amend the Atomic Energy Act of 1954 to prohibit the importation of certain low-level radioactive waste into the United States.

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IN THE SENATE OF THE UNITED STATES

JULY 7, 2008

Mr. ALEXANDER (for himself and Mr. CARDIN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To amend the Atomic Energy Act of 1954 to prohibit the importation of certain low-level radioactive waste into the United States.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PROHIBITION ON IMPORTATION OF LOW-LEVEL**  
4 **RADIOACTIVE WASTE.**

5 (a) IN GENERAL.—Chapter 8 of the Atomic Energy  
6 Act of 1954 (42 U.S.C. 2111 et seq.) is amended by add-  
7 ing at the end the following:

1 **“SEC. 85. IMPORTATION OF LOW-LEVEL RADIOACTIVE**  
2 **WASTE.**

3 “(a) IN GENERAL.—Except as provided in subsection  
4 (b) or (c), the Commission shall not issue a license author-  
5 izing the importation into the United States of—

6 “(1) low-level radioactive waste (as defined in  
7 section 2 of the Low-Level Radioactive Waste Policy  
8 Act (42 U.S.C. 2021b)); or

9 “(2) specific radioactive waste streams exempt-  
10 ed from regulation by the Commission under section  
11 10 of that Act (42 U.S.C. 2021j).

12 “(b) NONAPPLICATION.—Subsection (a) shall not  
13 apply to—

14 “(1) low-level radioactive waste being returned  
15 to a United States Government or military facility  
16 that is authorized to possess the material; or

17 “(2) low-level radioactive waste resulting from  
18 the use in a foreign country of nuclear material ob-  
19 tained by the foreign user from an entity in the  
20 United States that is being returned to the United  
21 States for management and disposal.

22 “(c) WAIVERS.—

23 “(1) IN GENERAL.—The President may waive  
24 the prohibition under this section and authorize the  
25 grant of a specific license to import materials pro-  
26 hibited under subsection (a) under the rules of the

1 Commission, only after a finding that the importa-  
 2 tion would meet an important national or inter-  
 3 national policy goal, such as the use of waste for re-  
 4 search purposes.

5 “(2) SPECIFICATIONS.—A waiver under para-  
 6 graph (1) shall specify—

7 “(A) the policy goal to be achieved;

8 “(B) how the policy goal is to be achieved;

9 and

10 “(C) the quantity of material to be im-  
 11 ported.

12 “(d) CURRENT LICENSES.—A license not permitted  
 13 under this section that was issued before the date of enact-  
 14 ment of this section may continue in effect according to  
 15 the terms of the license, but may not be extended or  
 16 amended with respect to the quantity of material per-  
 17 mitted to be imported.”.

18 (b) TABLE OF CONTENTS AMENDMENT.—The table  
 19 of contents for the Atomic Energy Act of 1954 is amended  
 20 by inserting at the end of the items relating to chapter  
 21 8 the following:

“Sec. 85. Importation of low-level radioactive waste.”.

